

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

NADINE BLACK

PLAINTIFF

V.

CIVIL ACTION NO. 1:06cv1104-LTS-RHW

CHARLES HIGLEY AND NATIONWIDE
MUTUAL INSURANCE COMPANY

DEFENDANTS

ORDER

An [39] Order for Mediation was entered in this cause on April 13, 2007. The mediation is scheduled to take place on June 6, 2007. Defendant Charles Higley has filed a [42] motion to appear at the mediation by telephonic means instead of personally. In essence, his sole reason is an attempt to trade on a similar request by Plaintiff and hope that both will be excused. However, Plaintiff's similar request was denied, and so will this movant's.

The [39] order is not a bargaining tool for the parties to determine or concede who will or will not attend the mediation. Likewise, there is no justification to change the Court's procedure with respect to mediation.

Accordingly, **IT IS ORDERED:**

Defendant Higley's [42] Motion to Appear Telephonically at Court-Ordered Mediation is **DENIED**. Failure in any regard to comply with the [39] Order for Mediation and any related matters may result in the imposition of sanctions.

SO ORDERED this the 11th day of May, 2007.

s/ L. T. Senter, Jr.
L. T. SENTER, JR.
SENIOR JUDGE